

1       **Rule 8A. Emergency relief.**

2       (a) *Emergency relief; exception.* Emergency relief is any relief sought within a time  
3 period shorter than specified by otherwise applicable rules.

4       (b) *Content of petition.* A party seeking emergency relief shall file with the appellate  
5 court a petition for emergency relief containing the following:

6       (b)(1) a specification of the order from which relief is sought;

7       (b)(2) a copy of any written order at issue;

8       (b)(2) a specific and clear statement of the relief sought;

9       (b)(3) a statement of the factual and legal grounds entitling the party to relief;

10       (b)(4) a statement of the facts justifying emergency action; and

11       (b)(5) a certificate that all papers filed with the court have been served upon all  
12 parties by overnight mail, hand delivery, or facsimile transmission.

13       The petition shall not exceed fifteen pages, exclusive or any addendum containing  
14 statutes, rules, regulations, or portions of the record necessary to decide the matter.

15       (c) *Service in criminal and juvenile delinquency cases.* Any petition filed by a  
16 defendant in a criminal case originally charged as a felony or by a juvenile in a  
17 delinquency proceeding shall be served on the Appeals Division of the Office of the  
18 Utah Attorney General.

19       (d) *Response; no reply.* Any party may file a response to the petition within three  
20 days after service of the petition or whatever shorter time the appellate court may fix.  
21 The response shall not exceed fifteen pages, exclusive of any addendum containing  
22 statutes, rules, regulations, or portions of the record necessary to decide the matter. No  
23 reply shall be permitted. No petition shall be granted before the response period  
24 expires.

25       (e) *Form of papers and number of copies.* Papers filed pursuant to this rule shall  
26 comply with the requirements of rule 23(f).

27       (f) *Hearing.* A hearing on the petition will be granted only in exceptional  
28 circumstances. No petition for emergency relief will be heard without the presence of  
29 an adverse party except on a showing that the party (1) was served with reasonable  
30 notice of the hearing, and (2) cannot be reached by telephone.

31        (g) Power of a single justice or judge to entertain petitions. A single justice or judge  
32 may act upon a petition for emergency relief to the extent permitted by rule 19(d) where  
33 the relief sought is an extraordinary writ and by rule 23(e) in all other cases.